



PRESIDENTIALAIRWAYS

P.O. Box 849 Moyock, N.C. 27958

23 December 2008

U.S. Department of Transportation, Docket Operations
West Building Ground Floor, Room W12-140
1200 New Jersey Avenue, SE.
Washington, DC 20590

Subject: Petition to Request a Temporary Exemption from 14 CFR part 119 § 119.3

To Whom it May Concern:

Presidential Airways, Inc. (PAW) is currently under contract with DOD (TRANSCOM) as an AMC approved provider of Commercial Airlift with both Fixed and Rotary Wing aircraft in Afghanistan. In support of a TRANSCOM contract, PAW is to provide two De Havilland Dash 8 (DHC-8-103) aircraft for mission support operations in Afghanistan. The contract requires that the aircraft be operated under our Part 135 certificate.

14 CFR part 119 § 119.3 defines on-demand operation as those passenger-carrying operations in which the departure time, departure location, and arrival location are specifically negotiated with the customer and are conducted with airplanes having a passenger-seat configuration of 30 seats or fewer and a payload capacity of 7,500 pounds or less. The DHC-8-103 aircraft have a passenger-seat configuration of fewer than 30 seats, but the payload capacity is greater than 7,500 pounds.

Presidential has an approved Special Type Certificate (STC) to operate the aircraft with 30 or less seating. PAW did not address the 7,500 pound limitation understanding that this was an operational issue and was a requirement by the crew to maintain the payload below 7,500 pounds. Once informed by our Flight Standards District Office that this was also required to be addressed in our STC, we submitted an amendment to the approved STC. This amendment was submitted on 6 October 2008 to the Atlanta Aircraft Certification Office (ACO). The aircraft will only be operated with the approved airframe flight manual seating configuration of 21 or 29 seats. Presidential aircrews will operationally limit our DHC-8-103 aircraft to a payload capacity of 7,500 pounds or less. PAW is only requesting a temporary exemption approval allowing the ACO the necessary time to review and process STC amendment.

PAW is requesting this exemption for three DHC-8-103 aircraft. They are S/N 086, 003 and 047.

Because of the urgent needs of TRANSCOM for aviation support in Afghanistan in support of DOD's Operation Enduring Freedom, PAW needs to deploy these aircraft as soon as possible. DOD does not have enough organic military aviation assets to meet the demand for passenger and cargo movement in the theater of operations. Operationally limiting the payload capacity to less than 7,500 pounds only enhances the safety of operations. By granting this temporary exemption, we can ensure that USTRANCOM receives the required support to operations in Afghanistan in a timely manner.

If you or your staff have any additional questions, please contact myself at the following: Office, 252-435-0737, Cell, 252-548-7547 or e-mail; john.hight@presidentialairways.net. In addition, you can contact our company President, Mr. Richard Pere at the following: Office, 252-435-0756, Cell, 321-431-7181 or e-mail richard.pere@presidentialairways.net.

Thanks again for your continued support!

Sincerely,



John M. Hight
Director of Operations
Presidential Airways, Inc.